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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,532	10/16/2001	Wing P. Leung	GS/080 CONT.	7831
7590 Alexander Shvarts Fish & Neave 1251 Avenue of the Americas New York, NY 10020-1105			EXAMINER SHANG, ANNAN Q	
			ART UNIT 2623	PAPER NUMBER
			MAIL DATE 11/28/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/033,532

Applicant(s)

LEUNG ET AL.

Examiner

Annan Q. Shang

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 10-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 10-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments/amendment filed 09/04/07, have been fully considered but they are not persuasive.

With respect to claims 1, 10, 15, 16, 18-25, 29, 30, 33-35 and 38-39, rejected under 35 U.S.C. 102(e) as being anticipated by **Knee et al (5,589,892)** and the various 103(a) rejection, applicant amends some claims and further argues that the prior art of record "...does not describe entering an unblocking criterion to unblock a blocked television program..." that "...figures, however, do not describe that a user may enter a second or unblocking criterion for permitting unrestricted access..." (see page 11+ of Applicant's Remarks).

In response, Examiner disagrees. Examiner notes applicant's arguments, however, Knee illustrates in figs 30+ a parental control EPG schedule system, provides a 'Key Lock Access" and various menu/submenu to permit's a parent or master to set various criterion to control TV program viewing, by locking of programs and permit viewing of desired program (col.22, line 25-col.23, line 36, line 42-col.24, line 24). Figures 39+ further illustrates various menu/submenu for restricting access to programs. Furthermore Knee teaches in col.24, lines 52-55 that "Once enabled, the lockout code must be used to set or modify locks, to view a previously locked program, or to clear or change the lockout code" (see fig.40, 40A+, col.24, line 13-col.25, line 10 and col.27, lines 21-43). Hence Knee's figures and disclosure meets the amended/unamended claims limitations and the various 103(a) rejections. Applicant's amended/unamended

claims do not overcome the prior art of record as discussed below in the office action.

This office action is made Final.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 10, 15, 16, 18-25, 29, 30, 33-35 and 38-39 are rejected under 35 U.S.C. 102(e) as being anticipated by **Knee et al (5,589,892)**.

As to claim 1, note the **Knee** reference figs. 39+, discloses EPG schedule system and method with data feed access and further discloses a method and apparatus of exercising access control using a parental control user interface having different functions that are available to a user in a master mode of operation (figs. 7 and 39+), the method comprising the steps of:

A television display (fig. 1, TV 27);

A tuner (Tuner 28) for receiving a plurality of television programs and passing one of the television programs; A memory (448) for storing a blocking override list comprising information relating to at least one television program and an enable

override list comprising information relating to at least one television program (col.5, line 36-col.6, line 17);

A user via Remote Controller (RC) 31 or Main Control Unit, inputs a password for a master mode to obtain access to functions of the parental control user interface (col.23, lines 3-36);

Entering a first, second, third, blocking criterion for blocking a television program from being viewed or recorded; entering an unblocking criterion for unblocking a blocked TV program to view or recorded; Selecting a plurality of programs for viewing or recording (figs.39-40E, col.23, line 38-col.24, line 35 and col.27, lines 21-42);

Prompting the user not in the master mode to enter the password if the selected plurality of programs meet the blocking criterion and do not meet the unblocking criterion; and unblocking the selected plurality of programs that meet the blocking criterion and do not meet the unblocking criterion so they can be viewed or recorded, if the user enters the password responsive to the prompt (figs.39-40E, col.23, line 3-36, line 54-col.24, line 35, line 36-col.25, line 10 and col.27, lines 21-42).

As to claim 10, Knee further discloses where the password, is established by a first-time user (col.23, lines 3-36 and col.24, lines 48-58).

As to claims 15-16, Knee further discloses where the blocking and overriding criteria are entered in a normal TV picture viewing mode, by tuning to a TV program and activating an on-screen menu and where the blocking and overriding criteria are entered in a guide mode using an on-screen menu activated from a program schedule guide (col.23, lines 3-36, col.24, line 48-col.25, line 11 and col.27, lines 21-43).

Claims 18-19 are met as previously discussed with respect to claims 15-16.

As to claim 20, Knee further teaches inputting a parental control level extracting a parental control rating from the TV signal carrying the selected program, comparing the rating with the parental control level and blocking the selected program if its rating falls below the parental control level (col.22, line 25-col.24, line 1+).

As to claims 21-23, Knee further discloses where one of the criteria is blocking or overriding a blocked TV channel or TV program, where the blocking or overridden TV channel or program is marked in a parental control review list and where the entering the criteria comprises editing the parental control review list with respect to channel, date, time and length (col.23, lines 3-36, col.24, line 48-col.25, line 11 and col.27, lines 21-43).

Claim 24 is met as previously discussed with respect to claims 15-16.

Claim 25 is met as previously discussed with respect to claims 1.

As to claims 29-30, the claimed "A method of exercising access control over a television using a parental control user interface..." is composed of the same structural elements that were discussed with respect to the rejection of claim 1.

As to claim 33, the claimed "A method of exercising access control over a television using a parental control user interface..." is composed of the same structural elements that were discussed with respect to the rejection of claim 1.

As to claims 34-35, the claimed "A method of exercising access control over a television using a parental control user interface..." is composed of the same structural elements that were discussed with respect to the rejection of claim 1.

As to claim 38, the claimed "An apparatus for parental control of television..." is composed of the same structural elements that were discussed with respect to the rejection of claim 1.

As to claim 39, the claimed "An apparatus for parental control of television..." is composed of the same structural elements that were discussed with respect to the rejection of claim 1.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Knee et al (5,589,892)

As to claim 17, Knee further discloses selecting a set of TV programs to be watched or recorded for various users (children and parent) and permitting only the selected set to be watch without inputting the password to the exclusion of all other programs being telecast (figs.39-40E, col.23, line 3-36, line 54-col.24, line 35, line 36-col.25, line 10 and col.27, lines 21-42).

Although Knee fails to explicitly teach selecting a set of TV programs to be watched or recorded in a babysitting mode, it would have been obvious to one of

ordinary skill in the art to modify the teaching of Knee to included setting other TV programs for other users in the household, including babysitters.

6. Claims 11-13, 26-28, 31-32 and 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Knee et al (5,589,892)** as applied to claim 1 above, and further in view of **West et al (5,550,575)**.

As to claims 11-12, Knee fails to explicitly teach where the password can be changed by a user when in the master mode and where the password can be changed by repeatedly entering an incorrect password for a predetermined number of times and confirming the repeatedly entered password at the end of the entering step.

However, note the West reference figs 4-5, discloses a viewer discretion TV program control system and further teaches creating new password for the user if the primary password is forgotten (col.12, line 15-col.13, line 1+).

Therefore it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate the teaching of West into the system of Knee to assist a user to change their password if a primary user forgets their password in order to allow the parent or the primary user to still have the ability to reset the parental control device even if the parent or primary user forgets their password.

As to claim 13, Knee fails to explicitly teach where the master mode of operation remains in effect until a TV configured to display the TV program is turn off, the user exits the master mode or a time delay expires.

However, West further discloses where the master mode of operation remains in effect until a TV configured to display the TV program is turn off, the user exits the master mode or a time delay expires (col.7, lines 29-40, col.11, line 36-45 and col.14, lines 17-65).

Therefore it would have been obvious to one of ordinary skill in the art to incorporate the teaching of West into the system of Knee to enable the system to reprogrammed itself to the original settings after the parent overrides the parental control settings thereby prevent the child from watching the overridden program or ratings.

As to claim 26, Knee fails to explicitly teach restoring the criterion after the user is no longer in the master mode.

However, West further discloses restoring the criterion after the user is no longer in the master mode (col.7, lines 29-40, col.11, line 36-45 and col.14, lines 17-65).

Therefore it would have been obvious to one of ordinary skill in the art to incorporate the teaching of West into the system of Knee to enable the system to reprogrammed itself to the original settings after the parent overrides the parental control settings thereby prevent the child from watching the overridden program or ratings.

As to claims 27-28, the claimed "An apparatus for parental control of television..." is composed of the same structural elements that were discussed with respect to the rejection of claim 1.

Knee fails to explicitly teach restoring the criterion after the user is no longer in the master mode and where the master mode of operation remains in effect until the TV is turn off, the user exits the master mode or a time delay expires.

However, West further discloses restoring the criterion after the user is no longer in the master mode and where the master mode remains in operation until the parent exits the mode or the program time expires (col.7, lines 29-40, col.11, line 36-45 and col.14, lines 17-65).

Therefore it would have been obvious to one of ordinary skill in the art to incorporate the teaching of West into the system of Knee to enable the system to reprogrammed itself to the original settings after the parent overrides the parental control settings thereby prevent the child from watching the overridden program or ratings.

As to claims 31-32, the claimed "A method of exercising access control over a television using a parental control user interface..." is composed of the same structural elements that were discussed with respect to the rejection of claims 27-28.

As to claims 36-37, the claimed "A method of exercising access control over a television using a parental control user interface..." is composed of the same structural elements that were discussed with respect to the rejection of claims 27-28.

Conclusion

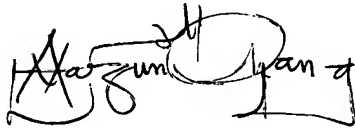
7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC)** at 866-217-9197 (toll-free). If you would like assistance from a **USPTO Customer Service Representative** or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Annan Q. Shang', with a stylized flourish at the end.

Annan Q. Shang